

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Patrick Hageman, *et al.*,

Plaintiffs,

Civ. No. 10-1759 (RHK/TNL)

**ORDER**

v.

Accenture LLP,

Defendant.

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This matter is before the Court *sua sponte*.

The parties have recently filed several substantial Motions in this collective action, including Motions for summary judgment (Doc. Nos. 195, 199, 220), Motions to exclude expert testimony (Doc. Nos. 204, 214), and a Motion to decertify the collective (Doc. No. 208). The filings are voluminous. While only the initial moving papers have been filed to date, the record already comprises scores of exhibits and the briefs thus far exceed 200 pages.

All of the Motions are set to be heard by the undersigned on Friday, January 27, 2012. Yet, the parties are scheduled for a settlement conference before Magistrate Judge Leung ten days later, on Monday, February 7, 2012. Given the significant and complex issues raised in the Motions and their sheer volume, the chances of the Court having ruled thereon in advance of the settlement conference is extremely low. Moreover, the Court is scheduled to commence a criminal jury trial in Duluth on January 23, 2012 – four days before the hearing on the parties’ Motions. Because of the Speedy Trial Act, 18 U.S.C.

§ 3161 *et seq.*, this trial must take precedence over civil matters. While it is possible that the criminal case may be resolved before trial by a guilty plea, in the event it goes forward it may not be completed by January 27. For these reasons, the Court concludes that the hearing on the parties' Motions should be rescheduled to sometime after the settlement conference before Magistrate Judge Leung.

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS ORDERED** that the hearing on the parties' pending Motions (Doc. Nos. 195, 199, 204, 208, 214, and 220) is **CONTINUED** *sine die*. The hearing will be rescheduled as soon as possible following the settlement conference (in the event the case does not settle), once the Court has the opportunity to consult with counsel regarding their availability for a hearing.<sup>1</sup> However, the parties shall continue to brief the Motions as if the hearing date remained January 27, 2012.

Dated: December 22, 2011

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge

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<sup>1</sup> The Court is cognizant that this case is on the April 2012 trial calendar. To the extent the continuance of the Motions hearing impacts the deadline for submission of trial materials or the trial date, the Court will address those issues with counsel, if necessary, at a later time.